

AMICUS CURIAE AFFIDAVIT FOR THE RECORD
NOTICE OF PRIVATE CITIZENSHIP STATUS TO THE MOVING PARTY
DEMAND FOR SHOW CAUSE FROM THE MOVING PARTY

Notice of Private American Citizenship Status

I, James Christopher Castle, a Private "Citizen of the United States of America" *in esse* and *sui juris*, and Agent for Public "citizen of the United States" Private Business Trust/Creditor in commerce "JAMES CHRISTOPHER CASTLE," solemnly affirm and declare under the penalties of perjury the following:

1. Affiant is making a restricted, special, ministerial visitation as a friend of this Court of Record under threat, duress and coercion of potential loss of life, liberty and/or property due to a case of **mistaken identity and/or false presumption of law** on the part of the moving party;
2. Affiant is neither the "Defendant" nor the "Accused" in this action, nor is Affiant volunteer/surety for, and/or property of, and/or bonded as one entity with the "Defendant" or the "Accused" in this action;
3. Affiant is neither making an appearance, be it generally, specially, conditionally or provisionally, nor pleading to the merits or making any motion of any kind;
4. Affiant has accepted as grantee and then released and disclaimed *Nunc Pro Tunc Ab Initio* all personal property interests, legal and equitable, in the Public "U.S. citizen" known as "JAMES CHRISTOPHER CASTLE," "JAMES C. CASTLE," "James C. Castle," or any other derivation of said commercial *nom de guerre*/name of war. (See attached court of record document "*Affidavit of Status of James Christopher Castle: American Freeman; Private Citizen of the United States: American National*," Exhibit 1.)
5. Affiant has rescinded all signatures of voluntary suretyship *Nunc Pro Tunc Ab Initio* ever given on behalf of state-created, quasi-corporate sole "JAMES CHRISTOPHER CASTLE," "JAMES C. CASTLE," "James C. Castle," or any other derivation of said commercial *nom de guerre*/name of war. Said rescission of signatures of voluntary suretyship includes, but is not limited to, all signatures ever provided in any legal proceeding, state or federal, including any administrative hearing, civil action or criminal prosecution. (See attached court of record document "*Affidavit of Status of James Christopher Castle: American Freeman; Private Citizen of the United States: American National*," Exhibit 2.)
6. Affiant is the Grantee/Grantor/Settlor of, as well as the Agent for, non-statutory, Private Business Trust "JAMES CHRISTOPHER CASTLE," "JAMES C. CASTLE," "James C.

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Castle," or any other derivation of said commercial *nom de guerre*/name of war, the legal owner by nature of said private business trust being a special and private Trustee, and the equitable owner by nature being a special and private Sole Beneficiary. (See attached court of record document "*Affidavit of Status of James Christopher Castle: American Freeman; Private Citizen of the United States: American National*," Exhibit 5);

7. Affiant is a Private "Citizen of the United States of America" whose "federal" citizenship status has been secured by Article II, Section 1, Clause 5; Article II, Section 3, Clause 5; and Article IV, Section 2, of the Constitution of the United States of America, which *de jure* citizenship status has been "broadened" and made "national" by Section 1 of the Fourteenth Amendment to the Constitution of the United States of America. (See attached court of record document "*Affidavit of Status of James Christopher Castle: American Freeman; Private Citizen of the United States: American National*.");
8. Affiant's *de jure* private citizenship status has not been altered by any federal or state contract or statute, be it express or implied, public or private; and therefore Affiant's *de jure*, private citizenship status has not been reduced to an inferior grade of volunteer/surety "U.S. citizenship" status by the state of Affiant's natural birth and/or by the state of Affiant's non-statutory, private and special residence on the land in exclusive Equity;
9. Affiant is not a quasi-corporate, Public "U.S. citizen" in interstate and foreign commerce. For said Public "U.S. citizen" (having once held original, *de jure* citizenship status conferred by Section 1 of the 14th Amendment to the Constitution of the United States of America on the day of his natural birth) holds an inferior grade of citizenship status through an implied volunteer/surety/commercial contract created by operation of law upon its filing with a third party record keeper/public office in the state of its volunteer/surety's natural birth;
10. Affiant is not a "*person within the United States*" as per the original wording of your "Emergency Banking Relief Act" passed by your Emergency War Powers Congress on March 9, 1933, it having "confirmed and approved" Presidential Proclamation 2039 of March 6, 1933, and Presidential Proclamation 2040 of March 9, 1933 (12 USC 95b); for the Congress at that time was composed of only quasi-artificial "persons" being Public "U.S. citizens" no longer representing the once sovereign "We the People" (formerly composed of all the Private "Citizens of the United States of America"), each Congressman having also been reduced in his citizenship status to the inferior grade of a "*person within the United States*," i.e., a Public "U.S. citizen," the once sovereign "We the People" being represented as mere volunteer/surety for and/or bonded into one legal entity with their "*person within the United States*," i.e., Public "U.S. citizen,"

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11. Affiant is not "*subject to the jurisdiction thereof [the United States]*" as per the original wording of your "Emergency Banking Relief Act" passed by the Emergency War Powers Congress on March 9, 1933; for the Congress, in passing said "Emergency Banking Relief Act," consented on behalf of every "*person within the United States*" to the Emergency War Powers Jurisdiction (executive, legislative and judicial) of the United States imposed by Presidential Proclamation 2039 on March 6, 1933; therefore, Affiant is not a "*person . . . subject to the jurisdiction of the United States*" under 12 USC 95a and 50 USC App. 5(b);
12. Affiant, being a Private Citizen of the United States, is a "*person . . . subject to the jurisdiction thereof [the United States]*" secured by Section 1 of the Fourteenth Amendment to the Constitution of the United States of America, said peacetime, civilian "*jurisdiction of the United States*" being unaltered by its Emergency War Powers statute 12 USC 95a and World War I statute 50 USC App. 5(b);
13. Affiant has the constitutional right to a **civilian due process of law** (as opposed to a **martial/emergency war powers due process of law**) secured from federal infringement by the Fifth Amendment and secured from state infringement by the Fourteenth Amendment to the Constitution of the United States of America;
14. Affiant is neither the volunteer/surety for/property of, nor a *de facto*, conquered "*person within the United States*" defined by your "Emergency Banking and Relief Act" (12 USC 95a) and ruled by the *de facto* Emergency War Powers military government of the United States; therefore, Affiant is neither a *de facto* "belligerent" nor a *de facto* "rebel" publicly residing according to statute within any state deemed a *de facto* "conquered territory" by the *de facto* emergency war powers military government of the United States imposed by President Franklin D. Roosevelt on March 9, 1933, via Proclamation 2040 "approved and confirmed" by Congress (12 USC 95b) on that very same day, March 9, 1933;
15. Affiant has been erroneously subjected to a **martial/emergency war powers due process of law** (criminal and/or civil) by the moving party in its mistaken attempt to use this Court to impose said martial Emergency War Powers due process of law, evidenced by the display of military colors in the courtroom (flags bordered on three sides with gold fringe and/or draped with gold cords and tassels) and also evidenced by the use of a military "name of war" (spelled with all upper case letters with or without abbreviations) set forth in the action, in violation of Affiant's constitutional right to a **peacetime/civilian due process of law** on both a federal and state level;

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16. Affiant is being mistakenly treated by the moving party as though Affiant is a *de facto* "rebel" and/or a *de facto* "belligerent" publicly residing in a state deemed a *de facto* "conquered territory" ruled by a *de facto* emergency war powers military government at the direction of the President of the United States sitting in a "temporary," extra-constitutional, emergency war powers capacity as a *de facto* martial Conqueror and Military Commander in chief over every "*person within the United States*" (defined by your "Emergency Banking Relief Act") and "*subject to the jurisdiction thereof [the United States]*" (12 USC 95a), both artificial and natural, both civilian and military;
17. Affiant owes no "temporary" allegiance to the "temporarily" established, *de facto*, Emergency War Powers military government imposed on March 9, 1933 (your 12 USC 95a), it having ousted and replaced the *de jure*, constitutional government of The United States of America (in force from March 4, 1789, to March 9, 1933) intended to be restored once the "temporary" emergency has been terminated by the president, acting in the capacity of Commander in chief, by repealing Proclamation 2040, the Emergency War Powers Congress also repealing your wicked "Emergency Banking Relief Act" (12 USC 95a & b) as well as your "Trading With the Enemy Act" (especially 50 USC App. 5(b)) and thereby, on that glorious day, restoring non-volunteer/non-surety, *de jure*, Private American Citizenship status to all Americans as well as restoring peacetime, constitutional, *de jure* "*jurisdiction of the United States*" (executive, legislative and judicial) throughout the land.

Demand for Show Cause from the Moving Party

THEREFORE, *I*, James Christopher Castle and Agent for "JAMES CHRISTOPHER CASTLE," hereby put the moving party ON NOTICE of my constitutionally-protected, non-volunteer/non-surety, *de jure*, Private American Citizenship status which is a matter of public record as per the attached certified copy of "*Affidavit of Status of James Christopher Castle: American Freeman; Private Citizen of the United States: American National*".

Further, as a friend of this Court, *I*, James Christopher Castle, a Private "Citizen of The United States of America," demand the moving party show cause under sworn testimony under the pains and penalty of perjury:

18. That *I*, James Christopher Castle, am "JAMES CHRISTOPHER CASTLE" (or any other derivation of said commercial *nom de guerre*/war name) as named in the above-captioned action;

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19. That *I*, James Christopher Castle, am volunteer/surety for “JAMES CHRISTOPHER CASTLE” (or any other derivation of said commercial *nom de guerre*/war name) as named in the above-captioned action;
20. That *I*, James Christopher Castle, am not the Grantee/Grantor/Settlor of non-statutory Private Business Trust “JAMES CHRISTOPHER CASTLE” (or any derivation of said commercial *nom de guerre*/war name) as named in the above captioned-action;
21. That “JAMES CHRISTOPHER CASTLE” (or any derivation of said commercial *nom de guerre*/war name) as named in the above captioned-action is not a non-statutory private business trust;
22. That *I*, James Christopher Castle, am not the Agent for Private Business Trust “JAMES CHRISTOPHER CASTLE” (or any derivation of said commercial *nom de guerre*/war name) as named in the above-captioned action;
23. That *I*, James Christopher Castle, am a statutorily-created, volunteer/surety, Public “U.S. citizen” and not a constitutionally-protected, non-volunteer/non-surety, non-statutory, Private “Citizen of the United States of America” as declared and proven in the attached certified copy of
said “*Affidavit of Status of James Christopher Castle: American Freeman; Private Citizen of the United States; American National;*”
24. That the moving party prove and justify its **presumption of law** that *I*, James Christopher Castle, am in contract, express or implied, with the federal government and/or with any state government which contract(s) has/have altered my non-statutory, constitutionally-protected, *de jure*, Private American Citizenship status secured by Section 1 of the Fourteenth Amendment to the Constitution of the United States;
25. That *I*, James Christopher Castle, am a “**person within the United States**” and “**subject to the jurisdiction of the United States**” as defined by your “Emergency Banking Relief Act” of March 9, 1933 (12 USC 95a);
26. That *I*, James Christopher Castle, a Private Citizen of the United States of America, may be given a wartime/martial/emergency war powers due process of law in accordance with your 12 USC 95a and 50 USC App. 5(b) (which process includes a non-judicial

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process on a federal and state level including mortgage foreclosures) as opposed to a **peacetime/civilian due process of law** in accordance with the Fifth Amendment and Section 1 of the Fourteenth Amendment to the Constitution of The United States of America.

27. That Private Business Trust "JAMES CHRISTOPHER CASTLE" (or any derivation of said commercial *nom de guerre*/war name) as named in the above-captioned action, may be given a **wartime/martial/emergency war powers due process of law** in accordance with your 12 USC 95a and 50 USC App. 5(b) (which process includes a non-judicial process on a federal and state level including mortgage foreclosures) as opposed to a **peacetime/ civilian due process of law** in accordance with the Fifth Amendment and Section 1 of the Fourteenth Amendment to the Constitution of The United States of America.

The moving party is hereby given thirty (30) days to show cause, or, **be it resolved:** a) the moving party admits, confesses and accepts all of the foregoing claims of James Christopher Castle, Private Citizen of The United States of America and Grantee/Grantor/Settlor of, and Agent for, Private Business Trust "JAMES CHRISTOPHER CASTLE" (or any derivation of said commercial *nom de guerre*/war name) as named in the above captioned action; b) the moving party admits to its inherent flaw in due process and therefore shall withdraw its claim(s); the moving party accepts its resulting duty of extinguishing any and all forbearances and encumbrances of said claim(s) against said Private Citizen and his property and shall make full and complete restoration and recoupmment of property previously held and enjoyed by Private Citizen James Christopher Castle.

Additionally, the Court, being bound by its oath of office to uphold the private citizenship clause of Section 1 of the Fourteenth Amendment to The Constitution of the United States of America and therefore unable to proceed under its 12 USC 95a and 50 USC App. 5(b), must abate this **wartime/martial/emergency war powers due process** erroneously imposed on non-volunteer/non-surety James Christopher Castle due to *prima facie*, non-rebutted evidence in the record proving **mistaken identity** as well as the absence of a contractual legal fiction that would give rise to a **presumption of law**, i.e., public U.S. citizenship status, said martial/emergency war powers due process being a nuisance to James Christopher Castle, a Private "Citizen of the United States" entitled to a **peacetime/civilian due process of law** as a matter of constitutional right

secured by the Fifth and Fourteenth Amendments to the Constitution of the United States of America.

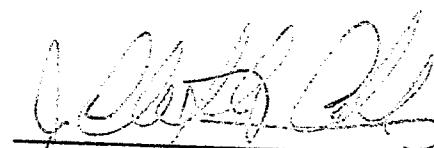
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Failure to abate may result in a conflict and variance to be adjudicated in a district court of the United States sitting in exclusive jurisdiction of Equity in special term.

Maxim: "Equity regards as done that which ought to have been done."

Further Affiant sayeth not and stands mute before the Court.

Signed of my own free will, act and deed in the spirit and intent in good conscience of equity,



James Christopher Castle, *in esse and sui juris*
Private Citizen of the United States of America
American Freeman; American National
Private Citizen of the Republic of Iowa
Special and Private Resident of Jefferson County
Grantee/Grantor/Settlor of Private Business Trust
"JAMES CHRISTOPHER CASTLE"
Agent for Private Business Trust "JAMES
CHRISTOPHER CASTLE"
All Rights Reserved Without Prejudice

Acknowledgement

New Zealand)
Bay of Plenty)
Tauranga) s.a.
)

Before Me, on this day James Christopher Castle, known to me to be the natural person described herein, personally made a restricted visitation and solemnly affirmed under the penalties of perjury that every statement given above was the whole truth to the best of his knowledge.

Subscribed and Affirmed before me on this 5th day of August, 2014.



Justice of the Peace

KENNETH JAMES LEONARD
500 G 3
TAURANGA
JUSTICE OF THE PEACE
FOR NEW ZEALAND